

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ROBERT M. GERBER, AS TRUSTEE OF
ROSALIE GERBER TRUST, WILLIAM J.
GILLIGAN AND JAYNE GILLIGAN,
HUSBAND AND WIFE, SANFORD R.
HOFFMAN AND BETH L. HOFFMAN,
HUSBAND AND WIFE,
AND JAMES D. BURNS,

Plaintiffs,

v.

ROBERT S. BOWDITCH, JR.,
GERALD SLAVET, STEVEN RIOFF,
AND BSR ASSOCIATES,

Defendants.

CIVIL ACTION NO.
05-10782-DPW

DEFENDANTS' ASSENTED-TO MOTION TO EXCEED PAGE LIMIT

Defendants, Robert S. Bowditch, Jr., Gerald Slavet, Steven Rioff, and BSR Associates hereby move pursuant to Local Rule 7.1(B)(4) for leave to file a memorandum in support of their motion to dismiss that exceeds twenty pages. Defendants' memorandum is twenty-one pages in length. Plaintiffs have assented to this motion.

WHEREFORE, Defendants respectfully request that this Court grant Defendants leave to file the accompanying memorandum in support of their motion to dismiss.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify that my co-counsel, Steven Hansen, has conferred with John O'Conner, counsel for the Plaintiffs, who assented to the requested relief.

/s/ Donald J. Savery
Donald J. Savery

Respectfully submitted,

**ROBERT S. BOWDITCH, JR.,
GERALD SLAVET,
STEVEN RIOFF, AND
BSR ASSOCIATES,**
By their attorneys,

/s/ Donald J. Savery
Steven W. Hansen (BBO# 220820)
Donald J. Savery (BBO# 564975)
Christina N. Davilas (BBO# 655477)
Bingham McCutchen LLP
150 Federal Street
Boston, MA 02110
(617) 951-8000

Dated: July 25, 2005

CERTIFICATE OF SERVICE

I, Donald J. Savery, hereby certify that on this 25th day of July, 2005, I served the foregoing document by causing a true copy of same to be delivered by federal express to counsel for the Plaintiffs.

/s/ Donald J. Savery
Donald J. Savery